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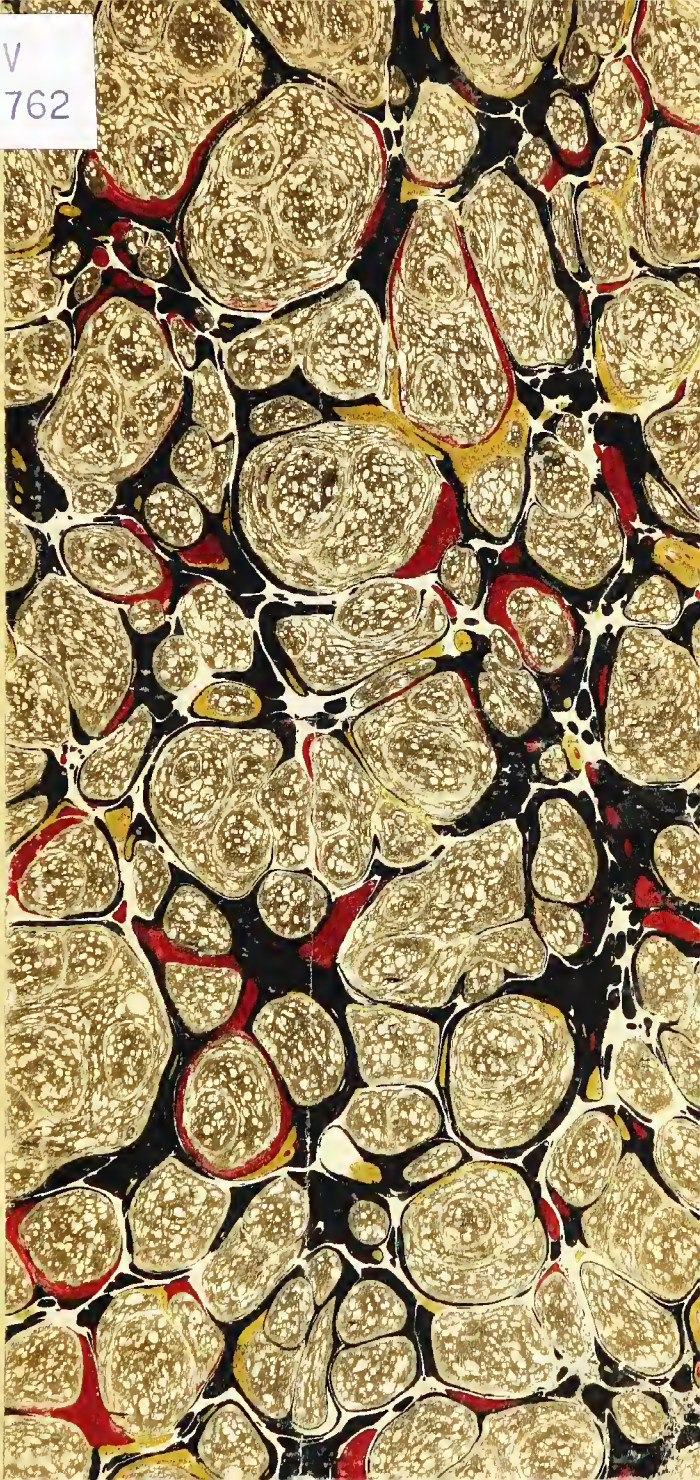

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Syllabus 73 May 1898

CITY GOVERNMENT

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Lecture 1

POPULATION AND SUFFRAGE

Importance of the subject of city government

1 Cities control state and federal governments.
2 The peculiar problems of our civilization find their focus in cities. Immigration, capital and labor, crime, pauperism, etc.
3 The failures of our political machinery are here most acute, alarming and far-reaching.

Definitions of a city

In ancient and modern times. In England and the United States. In these lectures every local aggregation of people having a representative government.

Location of cities

Political (Rome, Washington), religious (Mecca), and economic causes. Cities are a product of division of labor. 'Population and wealth tend to collect wherever there is a break in transportation.' Mechanical and commercial 'break.'

Cooley, C. H. Theory of transportation (*see* Amer. econ. ass'n pub. 9: 223-370)
Hart, A. B. Rise of American cities (*see his* Practical essays on Amer. government. 1894. p. 162-205)
—— —— (*see* Quar. jour. of econ. 4: 129-57)

Growth of cities

1 Division of labor.
2 Transportation facilities.
3 Discriminations in transportation and taxation.
4 Manufacturing advantages.
5 Superior social opportunities.

Census	Total number of cities		Per cent of urban (8000) to total population
	25000 pop.	8000 pop.	
1790	2	6	3.4
1800	3	6	4.
1810	4	11	4.9
1820	5	13	4.9
1830	6	26	6.7
1840	9	44	8.5
1850	21	85	12.5
1860	33	141	16.1
1870	51	226	20.9
1880	75	286	22.6
1890	124	437	29.1

3715 places in the United States having population over 1000.

	Total population	Urban	Rural
1880	50 155 783	17 775 076	32 380 707
1890	65 622 250	26 142 025	36 480 225
Increase	12 446 967	8 366 949	4 099 518
% increase	24.86	47.07	12.66

Rose, J: C. Decrease of rural population (*see* Pop. sci. mo. 42: 621-38)

Wright, C. D. Urban population (*see* Pop. sci. mo. 40: 459-67)

Character of urban population

Population of foreign cities, homogeneous; American cities, heterogeneous. Percentage of foreign born, United States 14.13; Boston 32, Chicago 40, New York 42, Syracuse 25. In 124 cities above 25000, 29%. 'Cities containing one fourth the population have nearly one half the foreigners.'—*Hart*

Percentage of foreign born voters is much greater

than the percentage of foreign born population. In Boston 50%, New York and Chicago probably 70 to 80% of the voters are foreign born and children of foreign born.

	United States		Syracuse	
	Number	Per cent	Number	Per cent
Total native born population	53 372 000	85	65 801	75
Total foreign born "	9 249 000	15	22 342	25
Total native males voting age	12 591 852	74	15 725	63
" foreign " "	4 348 459	26	9 372	37

Massachusetts, 56.5% of native born and 84.5% of foreign born population over 20 years of age.

London, 1880, 63% of the population born in the city, 94% in England and Wales, 98% in United Kingdom, 1.6% foreign born.

Can foreigners become assimilated to the habit and power of self-government?

1 Local self-government more difficult than national self-government.

a) Apparent unimportance compared with the spectacular, momentous interests of national politics. More difficult to arouse interest, investigation, criticism.

b) Personal relations are direct, giving greater influence to politicians, priests, employers, and the power-holding classes.

c) Assimilation more difficult in cities than in rural and frontier life. Less self-dependence.

d) Nationality of immigrants according to capacity of assimilation, is changing for the worse.

	New York	Per cent	Chicago	Per cent	Boston	Per cent
Total foreign born	639 943	42	450 666	40	158 172	38
English and Scotch	47 000	7	37 500	18	13 454	9
German	210 723	33	161 039	35	10 362	7
Scandinavian	8 644	1	64 867	14	4 274	3
Irish	190 418	30	70 028	15	71 444	45
Austrian	27 193	4	6 043	1	391	
Russian	48 790	7	7 683	1½	4 305	3
Italian	39 051	6	5 685	1	4 718	3
Canadian	8 308	1	24 297	5	38 294	23
Others non-assimilable	58 826	11	73 324	17½	10 940	7

Smith, R. M. Assimilation of nationalities in the U. S. (*see* Pol. sci. quar. 9:426–44)

—— Control of immigration (*see* Pol. sci. quar. 3:46–77, 197–225, 409–24)

—— Emigration and immigration, p. 53–91.

—— Theories of mixture of races and nationalities (*see* Yale rev. 3:166–86)

U. S.— Census bulletin 357.

2 Conclusion.

a) Majority of voters in large cities are foreign born or children of foreign born.

b) Practically two thirds to four fifths of foreigners are assimilable.

c) Foreign element is not a source of great danger provided the ballot be protected and government be simplified; Portland (Ore.) has no foreign element, yet city government is weak and corrupt.

The ballot

1 Extent of venal voting.

16 % of total voters in Connecticut, 20% in rural towns. Hold the balance.

McCook, J J Alarming proportion of venal voters (*see* Forum 14:1-13)

—— Venal voting: methods and remedies (*see* Forum 14:159-77)

—— Strong, T: N. Municipal condition of Portland (*see* Nat. conf. for good city gov't. Proceedings, v. 2-3, p.432-38)

2 Suffrage in foreign cities.

Germany, Dresden. Male, 25 years, no public poor relief for two years, not under conviction for crime, has paid taxes for two years, owns real estate or has lived in the city two years, compulsory citizenship (but not compulsory voting), one half city council elected by owners of real estate, one half by occupants of rented flats. Historical reasons for limited suffrage.

Peabody, F. G. A case of good city government (*see* Forum 13: 53-65)

Berlin. Only direct taxpayers; income tax, however, extending to incomes of 420 m.; divided into three classes in proportion to amount of taxes. Election of 1880:

	Registered	Voting	Per cent voting
1st class	2 100	1 164	55.43
2d class	9 169	3 171	34.58
3d class	96 610	11 707	12.12

Goodnow. Comparative administrative law, v. 1, p. 331-32.
U. S. — House ex. documents, 47th cong. 1st sess. no. 1, pt 1, p. 482.

Great Britain, Glasgow. Male householders, one year residence, paid taxes, no poor relief, lodgers paying £10 yearly rent, occupiers of non-residence property worth £10 a year who live within seven miles of the city, owners of £10 property living within seven miles, women who are occupiers and rate payers. 'Self-disfranchisement of the slums through non-payment of rates. In 1891, out of 126,422 families, 78738 male voters, 15448 women rate payers, total less by 47000 than school board electors where valuation is £4 and not required that rates shall have been actually paid.

Same in England, but owners pay rates for occupiers and charge in the rents, hence more liberal in practice. Birmingham 95500 houses, 81100 mal

voters, 11600 women.

Shaw. Municipal government in Great Britain, p. 39-46.

Compared with American cities, tenant pays rates, which average one fourth rental, making $66, which considering lower wages equal $100 or $8 per month.

France. Municipal suffrage somewhat narrower than general suffrage. Suffrage is universal yet there is no country where limitations for special causes are more stringent. Voters must be males, 21 years, born in the commune, having satisfied military requirements (those not born in the commune must be taxpayers, one year residence), naturalized; those convicted and imprisoned for robbery, swindling, rape and high crimes are forever disfranchised, lesser crimes for five years; drunkards, vagabonds, paupers, soldiers under sentence are disfranchised.

Block. Dictionnaire de l'administration francaise, *art.* Elections (Rabany) p. 967-83.

3 Comparative extent of suffrage in United States and European cities:

	Population	Registration	Ratio
U. S., 1892	62 622 000	12 062 000	1 in 5
New York city, 1892	1 800 000	285 000	1 in 6
Chicago, 1892	1 438 000	241 750	1 in 6
Bonn, Germany	36 000	3 401	1 in 11
Berlin	1 123 360	107 879	1 in 11
Glasgow	565 700	78 738 (male)	1 in 7
Birmingham	455 000	81 000	1 in 6

Non-resident voters in Glasgow and Birmingham disturb the basis of comparison.

4 Proposed limitations in American cities.

a) Property qualifications.

1) Impossible. Only 6% of population of New York and 18% of Boston, 22% of Chicago, 23%

of Philadelphia, average 24%, own their homes. Non-property holders can be disfranchised only by their own votes and they are a large majority.

2) Injudicious. Would remove the greatest educational influence and would result in strikes, rebellions, anarchy. 'In a country where wealth has no hereditary sense of obligation to its neighbors it is hard to conceive what would be the condition of society if universal suffrage did not compel everyone having property to consider to some extent at least, the well-being of the whole community.'—*Seth Low*

3) Unjust. Failures of city government not from too much democracy but from too little. Corruption and inefficiency proceed from private contractors doing public work (*see* lectures 8, 9) and defects in political machinery, which was designed for government by merchants, manufacturers and property owners, and is not adapted to universal suffrage. (*see* lectures 2, 4, 5)

b) Educational qualifications.

Associated with property, Belgium, Mississippi, etc. Objections similar to those above.

c) Practical limitations.

1) Recipients of public poor relief, 3 to 6% of voters; trial by jury.

2) Convicted of crime and habitual drunkenness. McCook shows that 100% of venal voters in Connecticut are drunkards.

3) Strict naturalization laws strictly enforced.

Lecture 2

LEGALIZATION OF POLITICAL PARTIES

National conference on practical reform of primary elections. Proceedings, v. 1.

Principles and methods

1 First principle: parties are no longer voluntary associations but are legalized public corporations organized to name the officers of government.

Commons, J: R. Legalization of the primary (*see* Nat. conf. on practical reform of primary elections. Proceedings, v. 1, p. 18-24)

a) Development from factions to parties: early dread of parties; non-recognition in constitution and laws; constitution recognizes only candidates not parties. *See* Washington's *Farewell address.*

b) Distinction between principles and organization of a party. Principles are the common self-interest of a party membership. Organization is the machinery by which the party marshals together a majority or plurality of the voters.

Morse, A. D. What is a party (*see* Pol. sci. quar. 11:68-81)

1) Tendency of organization to monopoly and centralization; a common fact in all provinces of sociology; struggle for survival. This with a plurality system forces subordinate groups and factions into two great parties. Initiated by democratic party, copied by republican.

2) Organization of parties tends to subordinate the constitution itself to party needs.

Election of president.

Subordinate civil service: George Clinton and Andrew Jackson.

Municipal governments subordinated to national parties.

c) Progressive legalization of parties.

1) Negative recognition. 1842, New York election law permitted elector to vote for but two of three inspectors of election; i. e. minority representation.

1870, provided specifically that third inspector should be chosen 'from the party in general political opposition on state issues to the party electing the two successful candidates'.

1880, board of registration in cities above 300,000 population provided that every 'political organization that shall present a candidate or candidates' should appoint watchers.

1882, first primary law, penalties for obstructing primaries.

1883, civil service reform, excludes parties from administrative offices, i. e. from using the machinery of government to strengthen the organization of parties at expense of their principles.

2) Positive. 'Australian' or 'secret' or 'official' ballot. 1888–91.

A rough definition of political parties based on the party convention and the general and executive committees of the party but not based on the rank and file of the membership.

Party organizations as certified by the aforesaid party authorities.

Party organizations deprived by the state of their mechanical functions; management of elections, printing and distributing ballots, counting and certifying results.

Advantages of official ballot; makes for

liberty against parties, wealth, position, employers, creditors.

d) Defects of existing ballot laws.

1) Registration is considered a personal and not a public interest. In Australia registration officers register voters whether they apply or not, subject to one month publication and revision by courts.

Lusk, H. H. The American ballot (*see* Forum 22:225-34)

2) Multitude of elective officers grouped by parties on the ballot: in England, Canada, and Australia only legislators are voted for; in London one member parliament, one city or county councilor, one member parish council, one or more members school board; no two elections on same day.

3) Expenditures of candidates and party managers not limited, except Ohio and Nevada; 'corrupt practices acts'. Candidate for London council or his agents, limited to $125. Penalty, forfeiture of seat. Syracuse alderman pays $1300 for $250 office.

Jenks, J. W. Suppression of bribery in England (*see* Century 47: (new ser. 25) 781-89)

2 Second principle: every citizen has a right to be a member of a political party. How can this be secured?

Partizanship like citizenship defined and protected by law; not left to party managers.

a) Test may be

1) Elector's preceding vote, Wisconsin law of 1895. If elector is challenged he must take oath 'that he voted for the regular candidates for the party at the preceding general election'.

Destroys secrecy of the ballot. Unconstitutional?

Obstructs freedom of choice, changing from one party to another.

2) Present intention to support the party of his primary choice, Mass. 1897; and non-participation in the primaries of any other party for the past year. Kentucky 1891.

Not to support the straight ticket but to support 'generally,' not necessarily in municipal elections.

3) Secrecy and freedom of choice (*see* below)

b) Facility in choosing his party managers and party nominees.

1) Enrolment, caucus, and registration the same day, California 1897; in other states on days set by party managers.

Stratton, F. S. Primary elections in California (*see* Nat. conf. on practical reform of primary elections. Proceedings, v. 1, p. 138-42)

2) Regular election officials, judges and inspectors, and ballot printed by state, Cal.

3) Pre-nomination.

Preliminary caucus, Wisconsin 1895.

Petition of party members, 10 members.

4) Secrecy.

Separate party ballots.

One blanket ballot for all parties, no declaration of affiliation, voter chooses both his candidate and his party in secrecy.

Secrecy in elections leads to secrecy in primaries, since oath to support is only morally binding (Kentucky election 1894, democratic registration 25671; democratic vote 14344; republican registration 15740; republican vote 18199; if

democrats had voted as they registered, democratic majority would have been 10000; promotes freedom for individuals; protects parties from voters under duress.

National conf. on practical reform of primary elections. Proceedings, v. 1, p. 47-48.

5) Direct vote for nominees without convention, 'Crawford county plan,' South Carolina democratic party: 1) pledged delegates; 2) local option; six years experience of Mass. and Kentucky favors direct vote.

People better acquainted with few prominent candidates than with numerous unknown delegates.

No danger of 'selling out'

Greater confidence in result and devotion to the party.

Brooks, F. M. The nominating ballot (*see* Outlook 57: 950-52 and editorial, p. 943-45)

National conf. on practical reform of primary elections. Proceedings, v. 1, p. 63, 86, 99-102, 106.

Pavey, F. D. State control of political parties (*see* Forum 25: 99-108)

3 Third principle: the success of a party depends on liberal treatment of present and prospective members.

Two contrasted principles held by party leaders.

a) 'The larger the party the more successful it will be; and the fairer the primaries and conventions the fewer its bolters.'

b) 'The smaller the party the easier it can be bossed.' In Kentucky the party organizations do not use their legal power to add to qualifications for partizanship.

Effect on municipal elections

1 While cities depend on state legislature, impossible

to maintain non-partizanship in city elections (*see* lecture 3)

2 Cities are political corporations and depend on local political parties with local policies (*see* lecture 5)

3 The personnel of local and national parties is practically identical (*see* lecture 5)

Lecture 3

HOME RULE FOR CITIES

Legislative control of municipal corporations

1 Definitions. A corporation is an artificial creature of law possessing only properties expressly granted, the most important being immortality and individuality.

Dartmouth college case. Dartmouth college vs Woodward, 4 Wheat. 518.

PUBLIC DISTINGUISHED FROM PRIVATE CORPORATIONS

Private	*Public*
1 Created for private purposes, though supposed to promote the public interest, specially for business purposes.	1 Created not for business but for public and social purposes, as branches of the state government, to administer government, poor relief, education, protect life and property, etc.
2 A contract between the state and the corporation. Dartmouth college case.	2 Not a contract, but a mere legislative enactment, though it may give rise to vested rights in favor of third persons or the community.
3 The assent of the corporation is necessary to incorporation.	3 The assent of the community is not necessary.

4 Can not be altered or revoked without the consent of the corporation, except where such power is reserved or where it is judicially forfeited.

4 'The power of the legislature over such corporations is supreme and transcendent; it may, where there is no constitutional inhibition, erect, change, divide, or even abolish them, at pleasure, as it deems the public good to require.'—*Dillon.*

Beach. Law of municipal corporations.
Dillon. Municipal corporations.
Stimson. American statute law.

2 Two movements in the history of American cities.

a) Extension of functions from purely local to general administration.

b) Subordination to the legislature in both general and local affairs.

'Like the English municipal corporation, the original American municipal corporation was mainly an organization for the satisfaction of purely local needs, i. e. for the management of the local property and finances and the issue of local police ordinances. . The affairs of the general administration of the colony were attended to in the municipality by officers similar to the regular officers in the counties and rural districts. . The legislature of the commonwealth has to a large extent lost sight of the original purpose of the municipality, and has come to regard it as an organ of the central government for the purpose of the general commonwealth administration, making little distinction between central and municipal matters, and

exercising over it much the same control which it exercises over counties and towns.'

Iyins, W. M. Municipal government (*see* Pol. sci. quar. 2: 291-312)

Private corporations protected by the courts; public only by the legislature. Distinction between enumerated and implied powers, former American, latter European. Hence dependence on legislature.

Goodnow. Municipal home rule, p. 1-55.

At the same time legal decisions and later legislation tend to recognize these two kinds of functions, though the distinction is not yet authoritatively determined:

1) Local functions, i. e. proprietary or 'private,' which the legislature may regulate but can not destroy without compensation, e. g. streets, sewers, railways, water, gas, electric light and power, parks, sanitation, etc.

2) General functions, governmental, legislative, 'public,' over which the legislature may have complete control, e. g. preservation of the peace, protection of life, property, health, administration of justice, poor relief, free education, collection of taxes for state government, excise and temperance laws, etc. 'Police officers are in fact state or public officers and not private or corporate officers.'—*Dillon.* Kentucky and New York courts hold police to be local officers; other states, public.

Goodnow. Municipal home rule, p. 88.

3 Constitutional limitations on the legislature.

All state constitutions except those of N. Y., Me., Mich., Minn., Md., N. C., Ore., Nev., Col., Ala., prohibit special legislation for cities, and command general laws applicable to all cities alike. Nullified by classifying cities, e. g. the act of March 6,

1891, creating a new charter for the city of Indianapolis is entitled 'an act concerning the incorporation and government of cities having more than 100,000 population according to the last preceding census, etc.' New York 1894 constitution classifies cities and defines general and special legislation; mayor's suspensive veto over latter.

Goodnow. Municipal home rule, p. 56-97.

4 Effects of legislative control and interference.

a) On the state. 1) Occupies the time of the legislature, e. g. 280 out of 681 bills passed by New York legislature in 1886 were local Measured by the number of printed pages, local legislation is one half to three quarters of total state legislation. 2) Effort on the part of city bosses, lobbies, saloons, gamblers, corporations, to control state legislature, hence log-rolling, corruption, etc.

b) On the cities. 1) Local matters controlled by an irresponsible authority. 2) Identifies local with state and federal politics. 3) Destroys local independence and the feeling of local responsibility; hence apathy, small vote at municipal elections. 4) Compels cities to inject the political question 'enforcement' or 'non-enforcement' of state law, into election of local executive officers, e. g. excise; hence prevents business administration, etc.

Goodnow. Municipal problems, p. 193-214.

5 Proposed plans for removing legislative control.

a) Separate elections.

b) Home rule. Larger cities in Missouri, California and state of Washington may elect a constitutional convention of freeholders, to draft a municipal constitution, which is submitted to the electors and if adopted by a majority vote be-

comes law (in Washington without ratification of the legislature, ratification required in Missouri and California). Cities now operating under home-made constitutions are St Louis, Kansas City, Los Angeles, Olympia, Seattle, Tacoma and others. Yet St Louis police are controlled by a board appointed by the state legislature, and the courts hold that cities are not freed from the operation of general laws.

c) Home sovereignty. Hamburg, formerly a state of the German empire, having ambassadors and representatives in parliament, wholly independent in local affairs, now absorbed by Prussia. Proposed creation of New York and contiguous cities into a separate state.

Morrison, Frank. Municipal government, a corporate not a political problem (*see* Forum 13: 788-94)

Oberholtzer, E. P. Home rule for Amer. cities (*see* Amer. acad. of pol. and social sci. annals, 3: 736-63)

6 Dangers from home rule.

a) Ignorant, foreign and corrupt elements are as yet too powerful.

b) Does not recognize the distinction between local and general functions, e. g. riots, justice, education, health, etc.

7 Complete legislative, judicial and administrative control. The city of Washington, governed by three commissioners appointed by the president of the United States under special laws enacted by congress. Such government is strong, efficient, honest, but irresponsible, undemocratic, paternalistic and obnoxious.

Porter, J: A. The city of Washington (Johns Hopkins univ. studies in hist. and political sci. ser. 3, no. 11-12)

Judicial control

1 Ordinary civil and criminal jurisdiction. The municipal corporation may be brought before the

ordinary civil courts like a private corporation in suits to enforce contracts or collect damages, and municipal officers may be tried in civil suits for damages or in criminal suits for violation of official duties.

2 Administrative jurisdiction. The legislature can not directly execute its laws. Must leave them to locally elected officers. Must therefore summon other state agencies where local officers fail. In the United States the higher courts are the agents of the legislature, exercising their control through a series of writs which have been historically developed in English common law. Principal ones are:

a) Mandamus. A writ forcing an officer to do something which the law commands him to do, e. g. to levy a tax to pay certain lawful claims.

b) Prohibition or injunction, to prevent officers from performing certain acts, e. g. to levy an illegal tax.

c) Habeas corpus, to control the police and executive administration.

d) Certiorari, to review acts of officers, e. g. assessment of property on complaint of inequality. Also statutory.

e) Appeals, to courts in special cases where the legislature makes provision, e. g. licenses.

f) Quo warranto, commanding a person to show by what authority he exercises an office or franchise alleged never granted, or forfeited by neglect or abuse.

Judicial control is tardy, reaching persons rather than acts, and technical, formal, difficult, expensive and uncertain. Its defects increase with growth of city.

Goodnow. Municipal home rule, p. 261-72.
—— Municipal problems, p. 69-73.

Administrative control

The legislature may grant complete home rule, neither revoking nor amending charter nor enacting special laws, but may create a body of state or national administrative officers to assume the administrative functions of the higher judiciary and also to supervise, check and direct, discipline, suspend and remove local authorities.

Two kinds of administrative control.

1 Complete administrative regulation. Paris, entirely free from central legislative control but subjected to extreme administrative control. Prefect of the Seine and prefect of police, both political officers, appointed by the president of the republic, subordinate to the minister of the interior. Council is elective, has large discretionary powers in finance and taxation, but no powers of appointment or execution. Can be suspended or dissolved by prefect and president. Decisions must be approved by prefect. Prefect appoints subordinates who have charge of taxes, education, poor relief, military enrolment, registration lists, vital statistics. Prefect of police, 'the most unaccountable, the most powerful man in France,' controls police and detectives, has large secret service fund, controls weights and measures, and sanitation, licenses, shows, trades, omnibuses; obligatory on municipal council to appropriate funds for his budget. Yet his irresponsible autocratic power is limited by a perfect civil service system. In smaller cities mayor is elected by council but removable by prefect as well as all his appointees; otherwise the control of the prefect over the city is the same as in Paris.

Administrative courts. In order to prevent oppression by the prefect, local authorities or individuals may appeal to central administrative courts, the judges having special knowledge of administrative and public law, the procedure being informal and inexpensive. Unknown in United States and England, the nearest approach being boards of equalization, and appeals to ordinary higher courts.

Shaw, Albert. Paris, the typical modern city (*see his* Municipal government in continental Europe. ch. 1)

—— —— (*see* Century 42: (new ser. 20) 449-66)

In Germany administrative control and courts similar to those of France, but more liberal in practice. Police of Berlin are controlled and paid by the state (Prussia).

2 Administrative supervision in England. Local government board corresponds to department of the interior, its president a member of the cabinet. Its officers are clerks, financiers, medical men, architects, engineers, and other specialists, holding office or permanent tenure. Controls public health, poor relief, local governments. Functions are:

a) Advice to 1) local authorities, 2) to parliament, in case of every local municipal or private bill. In United States this is often three fourths of the work of a state legislature.

b) Administrative control. In poor law, complete, can remove but not appoint overseers. In sanitation, less complete. In local government, municipalities elect their own officers, have full powers of all kinds delegated by parliament but all important financial matters —loans, taxes, improvements—must be approved by local government board. It audits

accounts of most local authorities (not municipalities, however) can compel municipalities to meet certain expenses for schools, poor relief, debt, etc. Central government pays one half police expenses.

Goodnow. Municipal home rule, ch. 12.
—— Municipal problems, ch. 6.
Maltbie. English local government of to-day.
Wilcox. Study of city government, ch. 3.

3 Advantages of administrative control and supervision.

a) A responsible authority answerable to parliament and the judiciary.

b) Composed of specialists having experience, knowledge and permanent tenure.

c) Reaches the acts of local officials rather than their persons.

d) Protects cities from extravagance and corruption while giving the greatest freedom to local enterprise, pride and responsibility.

e) Being always ready for action it seldom is compelled to act.

Proposed state supervision in the United States

1 Home rule as in the state of Washington, with certain general laws by the legislature; separate elections.

2 A state municipal board with administrative supervision, similar to that now exercised in various states by state boards of health, boards of charities and corrections, tax commissioners, boards of equalization, and public examiners, to be composed of governor, attorney-general and auditor ex officio and six to 10 unsalaried citizens from the two principal parties. Board to appoint all subordinates who should be experts and receive good salaries.

a) No administrative powers, such as disciplining, removing or suspending officers, thus enforcing local responsibility and protecting the board from partizan politics. Suspension and removal of local officers by governor on recommendation of board.

b) Auditing department, prescribed system of municipal bookkeeping, full annual reports.

c) Supervision of examinations for municipal civil service, as in Massachusetts.

d) Local investigations of complaints and abuses similar to those now held by legislative committees, with publication of testimony and findings —powers to compel testimony.

e) Veto on illegal bonds and contracts, unwarranted financial measures which exceed the legal debt-limit.

Popular self-government requires simplicity of public affairs, full publicity and accurate, reliable, expert, information. Local responsibility can then be trusted.

Commons, J: R. State supervision for cities (*see* Amer. acad. of pol. and social sci. Annals, 5: 865-81)

Lecture 4

MUNICIPAL ADMINISTRATION

Complexity of city government in the United States

1 Cities are composed of independent governing bodies, with independent debt-making and taxing powers. These have grown up from rural conditions and overlapped without any consistent plan. Chicago has 15 governing bodies: eight town boards, three park commissions, one city government, one county government, one board of sanitary trustees, one board of education, besides the judiciary. New York was found a few years ago by Andrew H. Green to have '80 different boards

or individuals who could create debt independently of each other.'

Williams, Leighton. Municipal reform; the need of a positive program (*see* Arena 9: 644–53)

2 No responsibility to the people. Elective officials for all these positions. Only professional politicians can understand the maze, hence citizens can vote only a straight ticket dictated by party managers.

How unity and responsibility are secured

France. City government wholly centralized, extremely simple. In Paris, only elected officers are the 80 councilmen, one for each ward, term three years. The two prefects appointed by the president and minister of the interior have entire administration. In other cities, council elects mayor and deputies from its own members for same term, mayor appoints all subordinates except police. Council has no administrative powers. Its committees are merely advisory to the mayor or prefect.

References on foreign cities cited in preceding lectures.

Prussia. Only councilmen are elected by popular vote, all other officials appointed. Council has no administrative functions. It elects 20 to 30 magistrates, or aldermen, one half of whom are salaried professional officials, heads of departments, elected for six years but usually reelected for life, must be approved by state authorities; one half are unsalaried citizens usually chosen from council having equal status with the professional aldermen, but not giving their entire time to administration. Mayor is merely a presiding officer, a salaried alderman, having no extra powers. Unity is secured by conferences of the board of aldermen which has entire executive control of the city except police, corresponds to 'cabinet,' meets separately

from council. Departments controlled by permanent committees and subcommittees, composed of aldermen, councilmen and unsalaried citizens appointed by board of aldermen, heads of departments being salaried aldermen, who are held responsible and have full powers of appointment and removal of subordinates, subject to civil service rules.

England. Only councilmen are elected, aldermen chosen by council for six years, reelected, from its own members, neither receive salaries, aldermen have no powers beyond councilmen. Mayor elected by council one year from aldermen, usually not reelected, merely a presiding officer, an integral part of the council. All administrative power in hands of council, 'the grand committee of the corporation,' which passes all laws, no vetos (except by local government board) appoints and removes all officials, manages departments through standing committees of its own members, permanent chiefs or superintendents being appointed by council, in turn appointing their subordinates and responsible to council through its committees.

United States. Formerly administrative power in hands of council similar to English system, council usually two-chambered, electing the mayor and heads of departments and governing through its own committees. Growing distrust of council led to popular election of mayor (New York 1830, Philadelphia 1839), later the popular election of heads of departments, mayor's appointees to be confirmed by council. Results; divided responsibility, 'deals' between mayor and council and independent boards, weak and corrupt officials because possessing no power. Unity of government now secured through the rise of an extra-legal

private irresponsible governing body, the 'party machine,' controlled by a private citizen, the 'supreme boss,' who is the true unified authority, controlling nominations and elections, appointing and removing officials; latter therefore not responsible to the people but to the 'machine.' By treaties and alliances between the machines of the two parties the same 'ring' is always in power.

Bishop, J. B. The price of peace (*see* Century 48: (new ser. 26) 667-72)

Champernowne. The boss.

Leavitt, J: B. Criminal degradation of New York citizenship (*see* Forum 17: 659-65)

Stead. If Christ came to Chicago.

Reform movements in the United States

1 Consolidation of separate governments into a single municipal government covering all duties now performed by county, township, city, boards and commissions; e. g. London, act of 1888, for the first time became a single united government, under the 'London county council.' It formerly included parts of three counties, one city (about one square mile) 70 parishes and sanitary districts.

Shaw, Albert. Glasgow: a municipal study (*see* Century 39: (new ser. 17) 721-36)

—— How London is governed (*see* Century 41: (new ser. 19) 132-47)

—— Municipal government in Great Britain, p. 222-62.

—— Municipal problems of New York and London (*see* Rev. of revs. 5: 282-308)

2 Concentration of power in the mayor elected by popular vote. Tendency toward the French system, giving mayor complete power of appointing all heads of departments who are single officers instead of boards, confirmation by council required (except in New York, Brooklyn and Philadelphia), power of removal limited by consent of council

(except in New York, Philadelphia and Boston). Greater New York charter; board of estimate and apportionment, composed of five members, three fifths of whom are mayor and two appointees, the corporation counsel and president of board of taxes and assessment. Has absolute veto on assembly in debt, expenditures, franchises. Board of public works, 11 members, including mayor and seven appointees, alone has initiative in public works. Mayor's veto overridden only by five-sixths vote of assembly.

3 Reasons for concentration in the mayor.

a) Habit. Similar elections for state and federal elections, accustomed to threefold division of powers.

b) Simplicity. By giving the mayor extraordinary powers of appointment and removal, the entire government depends on him, public interest is aroused, able men are nominated, heavy vote is called out, voters not confused by large number of offices to be filled and hundreds of candidates. The 'simplicity' of despotism. A 'kill or cure' system of government.—*Bryce*

c) Veto on the municipal council which everywhere has become degraded and corrupt, and is wholly distrusted by the people.

Bryce. American commonwealth, v. 1, ch. 50-52.

Fiske. Civil government in the U. S. p. 98-136.

Kelly, Edmond. Municipal government of New York (*see* Nat. conf. for good city gov't. Proceedings, v. 1, p. 103-10)

Low, Seth. Obstacles to good city government (*see* Forum 5: 260-60)

Low, W: G. Municipal government of Brooklyn (*see* Nat. conf. for good city gov't. Proceedings, v. 1, p. 72-79)

MacVeagh, Franklin. Municipal government of Chicago (*see* Nat. conf. for good city gov't. Proceedings, v. 1, p. 80-86)

Mercer, G: G. Municipal government of Philadelphia (*see* Nat. conf. for good city gov't. Proceedings. v. 1, p. 94-102)

Shepard, H. N. The mayor and the city (*see* Atlan. mo. 74: 85-94)
Storey, Moorfield. Municipal government of Boston (*see* Nat. conf. for good city gov't. Proceedings, v. 1, p. 61-71)

4 Heads of departments.

France. Mayor appoints single heads of departments who hold under civil service rules during efficiency, are professional experts, graduates of higher technical schools, may be removed by prefect (corresponding to state governor).

Germany. Committees of aldermen and councilmen and unofficial citizens selected by aldermen have oversight of the professional salaried alderman, who in turn is chosen by council to hold during efficiency, is responsible for appointments and service in his department.

England. Committees of the council, similar to the German system, supervision of the heads who are men of highest administrative ability and expert knowledge, security of tenure.

United States. Under system of government by mayor there is double head for departments.

1) Political head, changing with the mayor, member of mayor's 'cabinet,' representing the department before the public, responsible to the mayor and the public, controlling the 'policy' of the department. Sometimes 'bi-partizan' e. g. police.

2) Professional head, permanent chief, expert control of details and principles, appointing subordinates, representing the purely 'business' management of the department.

5 The mayor's control of departments where the commission plan is abandoned.

a) Fire. In Berlin controlled by the state.

b) Public works.

c) Charities and corrections.

d) Law.

A general agreement that the above departments should be controlled by the mayor.

e) Police. Except in Boston, St Louis, Cincinnati where governor or legislature appoints police commissioners. Yet mayor is responsible for the enforcement of laws and ordinances and should therefore appoint police.

f) Health. Usually medical boards, experts, not represented in mayor's cabinet; yet they have political functions, enactment of health ordinances which require police enforcement, and should therefore be subordinate to the mayor.

g) Finance. Comptroller or auditor, the city bookkeeper, holds checks on all other departments, hence usually elected. But with public reports to council he might be appointed, same as federal secretary of the treasury. Same applies to treasurer, also assessors and collectors of taxes.

h) Education. Almost universally separated from city government proper.

i) Judiciary. In other countries appointed by state authorities, not a political nor administrative position.

Charter of greater New York: elective officers; at large, mayor, comptroller, president assembly four years; by districts, councilmen, aldermen, coroners, judges; appointed by mayor, corporation counsel, police board of four members, departments of water supply, highways, street cleaning, sewers, public buildings, lighting and supplies, bridges, parks, buildings, public charities, correction, fire, docks and ferries, taxes and assessments, education, health.

6 The subordinate civil service.

France. Qualifications determined by executive decrees and departmental regulations, not by statute. No civil service commission, examination conducted under supervision of heads of departments. Similar in Germany and England. In the United States the fire department is the only one generally administered on civil service rules, being the one which directly affects the property owners. Competitive examinations for admission, probation, security of tenure, accident insurance, old age pensions, pensions for widows and orphans.

Massachusetts. Civil service commission, act of 1884, applies to state and cities; three commissioners, appointed by governor, three years, $5 per day of service, chief examiner $2000 salary, rules subject to approval by governor and council. Competitive and non-competitive examinations, probations, promotions on basis of examinations and seniority, no political assessments on employees, applies to clerks, laborers, fire, police, truant officers, not to heads of departments who can appoint only from applicants certified by the commissioners, and retain full power to discharge. Boston, 1893, total number of employees in municipal service 4043; requisitions for laborers 67; certified 622; employed 398; registered during the year 2317. Number of laborers discharged fell from 1116 in 1887 to 348 in 1896 and 486 in 1897.

New York (1884). Municipal examiners; appointed by mayor, regulations and classifications drawn up by mayor, subject to approval of state civil service commission. Officers exempted: elective, confidential subordinates, heads of departments,

teachers, subordinates having custody of funds under bond, inspectors of election. Open competitive examinations, also non-competitive; appointments from these graded by list; period of probation before absolute appointment; promotion on basis of merit and competition; political assessments prohibited; no use of official authority or influence to coerce political action of any person or body. Veterans preference (1894), veterans not to be removed except after hearing (1892), city auditor liable on taxpayer's action for salaries paid to persons appointed in violation of law and rules (1894).

N. Y. (state)—Civil service commission. Reports.

Pensions for firemen and policemen. Syracuse policemen, $300 to widow, terminates at marriage, $300 to minor children till 18; permanent disability one fourth to one half salary; superannuated after 10 years' service $300 to $600; after 20 years, one half salary. Fund obtained from fees for perfecting bail bond, contributions of policemen, fines or deductions imposed on policemen, rewards and gifts, lost or stolen property, pistol permits.

7 Advantages of civil service reform.

a) On the employees. Security of employment, 'life career for intelligent and self-respecting young Americans:' independence, emulation, *esprit de corps.*

b) On the service. Efficiency, economy, progress, introduction of improvements. 'Inexperienced officials necessarily follow precedent . . A new official is afraid to depart from custom, lest he fall into some dangerous or absurd difficulty.'

Eliot, C: W. One remedy for municipal misgovernment (*see* Forum 12: 153-68)

c) On politics. Destroys a powerful bulwark of the party 'machine.' It may not always secure the very best men, but it establishes a minimum, keeps out the worst, and substitutes responsibility to the public for responsibility to the 'boss.'

Devlin. Municipal reform in the United States, p. 85-102.

Schurz, Carl. Relation of civil service reform to municipal reform (*see* Nat. conf. for good city gov't. Proceedings, v. 1, p. 123-33)

8 Defects of civil service reform.

a) Does not reach heads of departments, the key to good administration. Is only a check on free appointment by heads. Where heads are permanent, not needed.

b) Does not ascertain 'fitness' as distinguished from 'merit.' New York law amended 1897, 50% 'merit' rated by board, 50% 'fitness' rated by appointing officer.

Commons. Proportional representation, p. 211-16.

Goodnow. Municipal problems, p. 251-52.

9 Organization of the subordinate service. Usually autocratic. Exception, street-cleaning department of New York under Commissioner Waring. 'Committee of 41' representing laborers by sections and stables. In 1896 heard 345 complaints, settled 221. 'Board of conference' five representatives of the commissioner, five of the 'Committee of 41'; heard 124 complaints referred by committee of 41, settled 123. Referred one to commissioner.

Waring, G: E., jr. Labor question in the department of street cleaning of New York (*see* Municipal affairs 1: 515-24)

10 Cooperation of private citizens.

France. Councilmen unpaid, election involves obligatory service.

Germany. Councilmen unpaid, citizens appointed on commissions unpaid, citizens appointed in

wards to assist in administration. In Berlin, poor relief and corrections 2259 citizens; schools 1500; in all 10000 taxpayers, men and women, cooperate regularly in municipal administration. Penalty for refusal, double taxes. Result, efficiency, public spirit, care for poorer classes notwithstanding their exclusion from the suffrage.

United States. Cooperation of citizens formerly obligatory, e. g. in New York, refusal to serve as supervisor, town clerk, assessor, commissioner of highways, overseer of poor, punished by fine of $50. Dropped in 1890.—*Goodnow*

Unpaid public service. State boards of health, boards of charities and corrections, education, trustees of institutions: municipal boards of education, charities, boards of children's guardians, county visitors (Ohio), etc., service not obligatory.

Volunteer associations to urge city officials to perform their duties: good government clubs, municipal leagues, vigilance leagues, civic federations, women's health protective leagues, chambers of commerce, business men's associations.

Thomson, E. P. What women have done for the public health (*see* Forum, 24: 46-55)

Lecture 5

DIRECT LEGISLATION

The threefold problem of city government

1 Technical problem.

a) Deals with the material of nature or with social material: children, criminals, paupers, drunkards, *et al.*

b) A problem of science and technology: civil, mechanical and electrical engineering; pedagogy, criminology, charity, inebriety, psychology.

c) Psychic basis, knowledge and skill.

1 Business or administrative problem.

a) Deals with individuals.

b) Organization of responsibility. Sanctions: appointment, promotion, discharge. Economy in buying and selling.

c) Psychic basis, tact; foresight, persuasion, 'dealing with men'.

3 Political problem.

a) Deals with social classes, through coercive agency of statutes and ordinances and their enforcement.

b) A problem of the distribution of social privileges. 1) Beliefs: catholic, protestant; 2) health; 3) enjoyments: saloons, Sunday observance, theaters, parks; 4) education: free tuition, free books, etc.; 5) incomes: day labor and contract systems, franchises and municipal ownership, public improvements, distribution of taxes and assessments, etc.

c) Psychic basis: opinion; wishes or desires of social classes, modified by ideas concerning justice and expediency.

Bearing of these distinctions on the plan of municipal organization

1 Political problem takes precedence and sets conditions for all others. Mistake of holding that parties are only national. Municipal policies above mentioned.

a) State legislative control with administrative home rule injects the political issue 'enforcement or non-enforcement' of state laws into selection of administrative officers (*see* lecture 3). Only method available to the voters for enforcing their opinions and wishes.

Roosevelt, Theodore. Municipal administration: the New York police force (*see* Atlan. mo. 80: 289-300)

b) Mayor's veto and appointment of political heads of departments, makes him a political officer.

- Separation of business from political organization
  a) Legislative home rule (*see* lecture 3)
  b) Mayor and subordinates deprived of all legislative functions, veto, police and excise administration, civil service reform, become mere business organization.
  c) Council deprived of all administrative functions, becomes the legislative or political organ.

    Goodnow. Municipal problems, p. 220-26.

  d) Decadence, inefficiency and corruption of the the council render this remedy dangerous (*see* lecture 6)

Initiative and referendum

1 The initiative is based on the principle that every citizen shall have the right to propose a measure of law to his fellow citizens. All proposals shall be accompanied by a petition signed by a certain percentage of voters in city, state, or nation. The majority shall actually enact the law by voting the acceptance or rejection of the measure proposed. This principle, when applied through ballotings at polling places, on measures sent from legislative bodies to the people is known as the referendum. Nebraska, 1897, municipal and local, on adoption by vote of locality. Initiative, petition containing full text of ordinance, order, resolve, agreement or contract, signed by 15% of voters, 20% for special election within 30 days, takes precedence of other business in council, council may submit amended ordinance at same time but not alter original petition, the one receiving majority of affirmative votes becomes law. Optional referendum; no ordinance, etc. (except public peace, health, appro-

priation not exceeding those of previous years) to take effect for 30 days, meanwhile petition, 15% voters mandatory, requires submission to popular vote. Popular veto instead of mayor's veto. Zürich has obligatory referendum since 1869, average voting per year, three.

2 Advantages and defects.

a) Relieves administrative and judicial branches from political predominance, permits business qualities to decide in election of mayor. Is purely political, i. e. expressions of choice. Massachusetts referendum on license and election of non-partizan mayors.

b) Banishes bribery and intimidation by corporations and bosses. Mutual confidence the basis of free government. Eliminates the question of 'honesty' or 'dishonesty' in election of candidates.

c) Popular acquiescence in results. 'Extreme measures, whether radical or reactionary, have no chance whatever of being accepted by the people.' Lessening of crime in Switzerland. Conservative, good and bad laws defeated on question of 'confidence' or 'no-confidence' in assembly submitting them. Espoused by conservatives in Switzerland. Yet not permanent obstacle to reforms; state bank in Switzerland defeated 1876, 1881, approved 1891.

Macy, Jesse. The Swiss and their politics (*see* Amer. jour. sociology, 2: 25-42.)

d) Educates the people on public questions. Consciousness of personal influence. Dignity of citizenship.

e) Petty persecution of small minority, e. g. Jews, but without initiative, the same persecution more violent, France, Austria.

f) People prefer to vote for men in whom they have confidence rather than measures, but this may change with education.

3 California 1896, five referendums: 1) tax exemption for mortgages, 2) permit voting machines, 3) limited liability of stockholders to amount of shares, 4, 5) home rule for San Francisco, 6) woman suffrage. Presidential vote 290,466; referendum votes as follows:

	Total vote	Per cent of presidential vote	For	Against	Majority	
					For	Against
1	226 769	78	63 824	162 945		99 121
2	200 247	70	121 655	78 592	43 161	
3	191 702	66	82 509	109 193		26 684
4	175 656	62	101 501	74 155	27 346	
5	176 448	62	101 539	74 909	27 030	
6	246 851	85	110 089	136 762	. .	26 673
Average	202 945	70	96 852	106 093	.	. . .

In Switzerland 20 federal referendums during 1879-91, average vote 58.5% of total voters, ranging from 40% to 67%, 9% in Canton Schwyz. Vote on 'Right to employment,' 56%, rejected 4 to 1. 'The result of the small vote is that laws duly considered by the national legislature and passed by considerable majorities are often reversed by a minority of the voters.' In Ohio amendment taxing franchises of corporations lost three times because the constitutional 75% failed to vote.

Commons. Proportional representation, p. 186-93.
Direct legislation record.
Lowell. Governments and parties in continental Europe, v. 2, p. 238-96.
Sullivan. Direct legislation.

Lecture 6

THE MUNICIPAL COUNCIL

Tendency to weaken and abolish the council

The council is 'the great unsolved organic problem in connection with city government in the United States.' — *Seth Low.* Originally given complete control of the city government the council has been gradually stripped of power till in New York and other cities it has only minor administrative details which might better be performed by other departments.

'A useless and therefore a mischievous body.' — *Moorfield Storey*

Nadal, E. S. The New York aldermen (*see* Forum 2: 49-59)
Parton, James. Outgrown city government (*see* Forum 2: 539-48)
White, A. D. Government of American cities (*see* Forum 10: 357-72)

Origin and evolution of the present council

The 'free cities,' merchant gild and its privileges gained by bargain with king ; monopoly of trade through the kingdom, free election of own magistrate, the *maire.* Corporate payment of taxes, independent minor courts. Manufacturers' gilds, gained jurisdiction over own members, later participation in city government through board of aldermen. Cities were, therefore, close corporations, 1) limited suffrage, 2) representation of corporate property interests.

Gross. Gild merchant, ch. 6, 7.
Stubbs. English constitutional history, v. 1, p. 419.

Reasons for inefficiency and corruption

1 Breakup of gilds as economic organizations ; exception, city of London.

Porritt, E. Boss rule in old English municipalities (*see* N. Am. rev. 164: 125-28)

2 Preservation of the shell of gild organization for political organization of the municipality. Tran

sition from representation of interests to representation of wards or territories.

3 Universal suffrage; new and antagonistic interests, injected into the old shell. Required to elect one man who 'represents' them all, i. e. majority or plurality vote. Resulting in

4 Compromise candidates: who represent no interest, but for success in election must be unknown, inoffensive, poor.

5 The ward boss: shrewdness, manipulation, selection of candidates. Balance of power held by small compact selfish interests, saloonists, gamblers, bribers, the boss.

6 Compulsory introduction of federal politics, choice being limited to the two principal parties. No independent or third parties.

7 The gerrymander: rise of political parties, redistricting for party purposes, disregard of both equality between localities and equality between parties.

a) Localities: New York 1894, one district 7000 votes, another 24000. 1st assembly district, 1897, 5174 votes; 4th, 5888; 34th, 13765; 35th, 15469. Syracuse 1897, 3d ward, 911 votes; 4th, 1710; 10th, 829; 12th, 1746.

b) Parties. New York 1897 election of aldermen, boroughs Manhattan and Bronx:

	Votes	Per cent	Elected	Proportional
Tammany	143666	48	31	17
Citizens' union	77210	26	4	10
Republican	55834	19	1	7
Jeffersonian dem.	13076	4	. .	2
Socialist	9796	3	. .	. .
Scattering	1357	. .	.	. .
	300939	100	36	36

8 Why foreign cities secure able men in their councils.

The ward system prevails as in the United States except in the smaller communities of France where the council is elected on a general ticket.

a) Limited suffrage. Councilmen represent not the people but the property owners, elected like the directors and officers of a private corporation, e. g. in Anstadt (Saxony) first class three voters, second class five voters, third class 1350 voters, one private corporation elects 24 of the 36 councilmen, having the three votes of the first class, and a majority of the second class. In France councilmen are quite inferior to those of Germany.

b) Absence of party politics, national issues and 'spoils system.'

Parker, G: F. An object lesson in municipal government (*see* Century 53: (new ser. 31) 71-89)

Ralph, Julian. The best governed city in the world, Birmingham, (*see* Harper 81: 99-111)

Remedies

1 Government by the mayor and cabinet, as a substitute for the council.

a) Based on the idea that the city is only a business corporation with the well defined duty of protecting property at a low tax-rate, whereas it is a political corporation, possessing sovereign attributes of eminent domain, taxation, ordinance-making, based on compulsion rather than free contract.

b) Hence, all interests must be represented in city government, whereas the mayor represents only the majority, or plurality, with despotic powers over the majority.

New York election 1897

	Vote	Per cent
Van Wyck, dem.	233 997	44
Low, citizens' union	151 540	29
Tracy, rep.	101 863	19
George, Jeff. dem.	21 963	4
Lanial, socialist	14 467	3
Scattering	2 999	1
	526 559	100

c) A 'cure or kill' method of government (Bryce), tremendous interests at stake at every election, already showing symptoms of failure, ascribed to,

1) Short term of the mayor, preventing him from developing a 'policy.'

2) Indifference of intelligent and business classes, specially in the primaries and conventions.

3) Injection of federal politics.

4) Mayor, same as aldermen, creature of the boss.

2 'Municipal board of commerce and finance.' 'Merchants municipal committee' Boston, legalized 1897, advisory, no salary, similar to French, seven members, non-partizan, representing board of trade (two), real estate exchange, chamber of commerce, clearing house association, Merchants association, New England shoe and leather association. Deals with finance, commerce, taxation, transportation, affecting city as a whole. Also, not legalized, 'Advisory committee on public institutions,' 'Advisory committee on public baths,' 'Board of municipal statistics.'

Brooks, R. C. Business men in civic service (*see* Municipal affairs 1:491-508)

3 General ticket. Ward lines abolished, entire council elected on one ticket for city at large, each voter as many votes as councilmen, one candidate one vote, highest votes elected.

Syracuse school commissioners, election 1897

Republican		Democratic		Socialist labor		Prohibition	
Gillis	9 768	Rosenbloom	13 376	Corregan	742	Stevens	173
Pinzer	10 718	Gafney	19 482	Lake	768	Dudlay	150
Gaffney	.	Brown	10 872	Harris	776	Rathbun	179
Bachman	9 991	Van de Warker	11 606	Tyndall	757	Huntington	
Grant	10 470	Huntington	12 080	Voss	732	Steen	146
Danzinger	10 218	Blust	10 766	Blume	736	Grant	
Spaulding	10 540	Schilly	10 738	Koeling	739	Annable	139
	61 705		88 920		5 250		787

Advantages, better candidates. Defects, same as in election of mayor, no recognition of parties.

4 'Limited vote', same as general ticket except each voter has less votes than alderman. Boston board of aldermen 12, voter votes for seven. Parties nominate only seven, hence voter has choice of only two of 14 candidates. Minority party elects five.

5 'Cumulative vote', same as general ticket, except that more than one vote may be given to one candidate. British school boards. Illinois legislature, corporation law of Kentucky, Nebraska.

6 Proportional representation, same as general ticket except in counting the vote, e. g. Syracuse school commissioners:

Dem. party 88 920
Rep. party 61 705

150 625÷7=21 518='unit of representation'

Dem.	88 920÷21 518=4+	remainder	2 848=4+0=4
Rep.	61 705÷21 518=2+	"	18 669=2+1=3
Total elected . . .	6+	largest remainder	=6+1=7

Advantages.

a) Promotes the unity of city government.

b) The basis of constituency 'would not, as now depend on the accident of residence in a given locality, the same ward, but on the community of

public opinion and identical ends in view.'—*Charles Francis Adams*

c) Able and experienced men, the leaders of the people, can be repeatedly elected.

d) Freedom from party dictation, no hopeless minorities—independence of voters—hence removes federal politics from municipal elections and calls out a full vote of all classes.

e) Freedom from the rule of saloons, gamblers, and corporations, and opportunity for social reform.

f) Needed in the United States more than in Europe on account of universal suffrage and the dominance of the political machine. 'The class of educated men, though comparatively small in numbers is, in the inherent power to control the course of human affairs, immeasurably superior to all the rest combined.'

Barnard, F. A. P. Degradation of our politics (*see* Forum 9:117-321)

Proportional representation allows this class an opportunity for leadership.

Commons. Proportional representation.

Forney. Political reform by the representation of minorities.

7 Proportional representation and party primaries.

a) Lessens their importance.

b) Applicable to them.

Remsen. Primary elections, p. 28-31, 72-90, 107-17.

Lecture 7

THE CITY SCHOOLS

The problems of education are two-fold: 1) a political problem to be decided by the people through government, involving social, economic and administrative questions. 2) A pedagogic problem, to be solved by professional experts, involving questions of psychology, philosophy, pedagogy and

school administration. We are concerned only with the political problems.

Social-economic problems

1 The universality of education.

a) Free tuition. A fully accepted principle for elementary schools. Justification: 1) in all times the state has educated its rulers at public expense; in modern times additional justifications; 2) protection to property; 3) to equip every individual for the struggle of life and his highest possible development. Hence special justification in cities where: 1) traditions of good government are lacking, 2) populations must be assimilated, 3) the rulers have no property interests, 4) competition is most severe. Objections: communistic, checks self-reliance.

Ward. Dynamic sociology, v. 2, p. 584-619.

b) Compulsory attendance and restrictions on child labor in factories; truant officers and truant schools.

Shaw, W. B. Compulsory education in the United States (*see* Educ. rev. 3: 444-49; 4: 47-52, 129-41)

c) Free books.— 1) Increased attendance of poorer children, poorer sections become as good as the richer. 2) Greater economy, efficiency and uniformity of administration. 3) Training in responsibility for public property and good citizenship.—Reports of superintendent of schools, Washington, D. C.

d) Free food, clothing and play. Paris, meals 2 cents, 60% free, 9,000,000 meals in 1891. Also director of sports, gymnasium, vacation trips, school camps, and colonies, school baths.

Food-aided education: experiments in Paris, London and Birmingham (*see* Rev. of revs. 1892)

Rice, J. M. School excursions in Germany (*see* Century 48: (new ser. 26) 643-56)

Riis, J. A. The making of thieves in New York (*see* Century 49: (new ser. 27) 109-16)

—— Play grounds for city schools (*see* Century 48: (new ser. 26) 657-66)

Shaw. Municipal government in continental Europe, p. 118-26.

e) City schools enrolment increased from 20.1% of total 1890-91 to 24.2%; 1895-96, rural and village schools increased 1%. Private and parochial schools 1890-91, 21.5% of children; 1895-96, 19.6%.

f) Average age of withdrawal, St Louis, 13.3, Chicago 14.5, Boston 15.9.

U. S.— Education, Bureau of, Report of commissioner, 1894-95, v. 2, p. 1170.

2 Revenues and expenditures. Tax levy determined by the board of estimate in New York; city council, Philadelphia, Boston, San Francisco, Syracuse (not less than twice nor more than five times amount received from the state); city tax commission, Cleveland; legislature, Louisville; board of education, Cincinnati, Pittsburg, Omaha; fixed by charter, St Louis.

	1890-91	1895-96	Increase in four years
Number of cities	442	602	
Male teachers	5 023	5 059	36
Female teachers	61 971	65 266	3 295
Average wages	$625	$643	$18
Expenditure tuition	32 266 128	46 747 865	14 481 737
" per pupil	16 83	18 26	1 43
" total	56 936 447	80 042 118	23 105 671
" " per pupil	28 80	31 26	2 46
School property	84 507 058	257 236 583	172 729 525
"	97 92	100 48	2 56

a) The entire property of the city should be chargeable for the education of all its children. The antiquated district system survives only in Hartford, Ct.

b) In the United States, except Massachusetts, city property contributes also to state and rural education.

LOCAL EDUCATION TAX 1894 OF TYPICAL MASSACHUSETTS TOWNS AND CITIES

Place	Valuation	Pupils average attendance	Valuation per pupil	Education tax per $1000	Total tax per $1000	Gain (black type) or loss by a half mill state tax	Income tax per $1000
State average	$2 471 521 505	341 671	$7 879	$2 85	. .	. .	.
Boston	928 109 042	59 121	15 698	1 90	$12 80	**2311133 55**	25
Falmouth	5 651 887	370	15 275	1 50	6 10	**998 26**	17½
Hull	2 881 305	94	30 652	1 47	16 76	**1 070 33**	38
Florida	167 241	72	2 323	6 47	20 ..	400 02	.
Hawley	148 078	66	2 244	7 03	24 ..	185 96	.
Sandwich	898 250	218	4 120	5 33	14 ..	409 73	.

NEW YORK STATE SCHOOL TAX 1896. TYPICAL COUNTIES

	School tax paid	Total received
New York	$1 884 584	$696 394
Erie	241 597	197 737
Monroe	123 663	120 338
Onondaga	75 081	98 106
Cortland	9 398	24 650
Sullivan	4 892	25 626
Greater New York 1898	2 428 176	1 198 943

COMPARATIVE STATISTICS 1895-96

	Chicago	Boston	New York	Syracuse	Indianapolis
Revenues total	$6 082 418	$2 728 604	$5 339 981	$342 213	$517 598
State apportionment	$134 849	. .	$718 647	$40 884	$90 632
per cent of total	5		15	15	19
City	$5 145 672	$2 689 422	$4 550 334	$282 440	$362 471
per cent of total	84	96.6	83	82	70
County	. .	. .	. .	. .	$41 380
per cent of total					7
All other sources	$601 897	$39 182	$71 000	$9 883	$14 115
per cent of total	11	1.4	2	3	4
Population	1 619 226	496 920	1 850 000	120 124	150 000
School population	448 597	78 561	440 090	25 100	37 569
Per cent of population	27	15.6	23	21	25
Private and parochial	. .	12 231	50 000	1 772	2 241
Enrolment public	213 825	79 855	261 326	17 489	27 662
Per cent of population	13.2	15.8	14	14.5	18.4
Av'ge daily attendance	165 570	67 780	183 580	13 536	15 939
Per cent of population	10	13.5	10	11	10.6
Expenditure—tuition	$4 141 473	$2 162 271	$4 644 875	$314 828	$462 828
" per pupil *a*	$25.10	$31.90	$25.30	$23.20	$20.00
" total	$6 676 517	$2 728 603	$7 036 181	$343 267	$536 024
" per pupil *a*	$40.46	$40.25	$38.50	$25 40	$33.50

Berlin, per pupil—$13.25, Paris $32.70, London $13.74.
a Average daily attendance.

3 Subject matter. Popular education in its extent should be intellectual, industrial, moral and civic.

a) Common branches.

b) Kindergarten. Far-reaching influence on crime, pauperism, family, tenement-house, love of work. Public kindergartens in St Louis, Boston, St Paul, Milwaukee, Philadelphia, Brussels, Paris (*écoles maternelles*). Reports of bureau of education.

c) Industrial, manual, ornamental, drawing, and apprenticeship schools, St Louis, Boston, Indianapolis. Usually connected with high school, but continuing from the kindergarten in Washington, D. C. Remarkable system in Paris. Trade schools in Germany. Does not lessen but strengthens collateral book work.

U. S.— Education, Bureau of. Education in the industrial and fine arts in the U. S. v. 1, 2, 3, p. 1001-1119.

U. S.— Labor, Commissioner of. Annual report, v. 8. Industrial education with bibliography.

d) School savings bank.

Oberholtzer, S. L. School savings banks (*see* Amer. acad. of pol. and social sci. annals 4: 972-74)

Thiry. School savings banks in the United States. Reprinted in part in Report of U. S. commissioner of education 1888-89, v. 1, p. 655-69.

e) High schools. 1 to 4.8% of school enrolment, about one third of whom are boys.

f) Citizenship. The meager attention to this subject in American schools and the insignificant portion of the population who receive such instruction. Yet good citizenship is the main justification of public schools. The study not difficult in grammar and high schools. 'The sociological method of unifying studies'—Henderson's *Catechism for social observation*. Observational social phenomena, e. g. farms,

organizations, strikes, taxes, banks, saloons, factories, homes, wages, expenditures, labor city politics, etc.

4 The Gill 'school city,' each school organized in imitation of the larger city. *Our country*, published by Patriotic league, 230 W. 13th st., New York.

Political organization of the school system

1 Separated from the municipal system in the United States (except Buffalo) and Great Britain, but combined in France and Germany. Reasons: 1) importance, 2) to be 'kept out of politics.' But with reformed council and civil service should be combined, to secure unity and responsibility of the entire city government.

2 Board of education, the political and business head. Members; Denver 6, Cleveland 7, St Paul 7, Chicago 21, Cincinnati 50. Elected at large in Cleveland, Boston, San Francisco, Syracuse; by wards in St Louis, Cincinnati, Louisville, formerly in Cleveland and Syracuse; at large by wards in Lincoln; by district directors in Pittsburg; appointed by judge of common pleas court by wards in Philadelphia; by mayor in New York, Chicago and St Paul; by council by wards in Baltimore. In Cleveland also school director elected, with powers corresponding to mayor.

3 District boards, in New York formerly appointed by central board but in turn appointing teachers In Philadelphia and Pittsburg elected. Results, decentralization, power without responsibility.

4 Teachers certified by superintendent, New York; board of examiners, Cincinnati, Buffalo; board of education, Chicago. Appointed by board, Syracuse; by superintendent, Cleveland, Buffalo.

Draper, A. S. Plans of organization for school purposes in large cities (*see* Educ. rev. 6: 1-16)

Paris. Single director appointed by minister of education of the republic, full powers and responsibilities, assisted by advisory council elected by teachers and professors. No local control or initiative whatever. Most perfect system in the world. Courses of study, rules, etc. all formulated by minister of education and his council of eminent educators.

Berlin. Committee 30 members, aldermen, councilmen, and representatives of school commissioners, 150 local committees, citizens unsalaried, 10 to 12 members each, appointed by central committee supervision by minister of education who examines teachers, confirms appointments.

London. School board, elected by cumulative vote, complete control of revenues and expenditures, appoints and removes district boards. Central supervision by committee of education of the privy council, parallel to supervision by local government board, grants financial aid on basis of inspection.

Reports of bureau of education 1888-89 and 1890-91 and following give excellent descriptions of foreign systems.

Educational reform

Political reforms must clear the way for pedagogical reform. Dr Rice's propositions: 1) Schools must be entirely divorced from politics. 2) Supervision must be thorough, to compensate for lack of professional skill on the part of teachers. 3) Teachers must be students and grow.—*Forum* June 1893

1 Board of education 'the strongest factor in making or destroying the schools.'—*Dr Rice.* Elected by proportional representation, woman suffrage.

2 School director. Political and business head, appointed by board during efficiency.

3 School superintendent. Professional head appointed by board during efficiency, full powers and responsibility in appointing and removing assistants, supervisors, principals and teachers. Washington, Cleveland, Indianapolis, St Paul.

Three stages in the development of superintendency: 1) Material, i. e. financial administration, now exercised by school director. 2) Pseudo-intellectual, or mechanical. 3) Scientific or professional.— *Charles Francis Adams*

Pickard. School supervision.

4 Normal schools.

5 Pensions.

U. S.— Education, Bureau of. Report of commissioner, 1894-95, v. 1, p. 1079-1108.

6 State supervision similar to that of the proposed state municipal board. New York and Great Britain, board of regents, based on state aid to schools.

Webster. Recent centralizing tendencies in state educational administration.

Lecture 8

CITY MONOPOLIES

Characteristics

1 Means of communication, exchange and distribution — 'distributive' industries. 'Manufacturing' attachment subordinate, e. g. gas, electric light.

2 Advantages of situation, necessarily used by the public.

3 Require a franchise for serving private consumers; i. e. use of streets.

4 Extent, abundance, cheapness and quality of service demanded.

Municipal ownership

1 Social factors underlying development of ownership.

a) Increasing density of population increases interdependence.

b) Technical progress.

1) Mechanical inventions, new agencies of intercommunication, transfer and service, telephone, gas, electricity. Competition forces all to use the new and best.

2) Business routine, speculative and experimental features eliminated, reduced to army basis.

c) Democratic popular suffrage and ethics; opinions on justice, equality, popular sovereignty.

2 Successive stages of ownership.

a) Private property for speculation, profit, power. Street railways Philadelphia 1881-98 paid up $5,840,905, dividends $15,164,377, market value 1893, $48,563,365. Average cost construction cities 100,000 to 500,000 population, $50,000 per mile; capitalization (1896) north Chicago $146,000, market value $243,000; Mass. average capitalization $54,500, Illinois, $134,500, Syracuse $132,000.

Gas plant, Belfast, cost $2.50 per 1000 cu. ft of yearly output; Mutual fuel of Chicago $2.14; 22 large cities capitalized $7.22, Chicago gas trust $9.80, 5½% dividends.

Commons. Distribution of wealth, p. 86-106, 116-237.

b) Public regulation.

1) 'Affected by a public use'. 'When the owner of property devotes it to a use in which the public has an interest, he, in effect, grants to the public an interest in such use, and must to the extent of that interest submit to be controlled by the public.'—*Munn vs Illinois*, 1876.

Not repugnant to 14th amendment.—*People vs Budd*, 117 N. Y. 22.

2) Regulation is legislative function, under police power, reaching health, morals, and property of citizens. Held in *Munn vs Illinois* not subject to judicial interference. 'For protection against abuses by legislatures, the people must resort to the polls, not to the courts.'

Clark, Walter. Rights of the public over quasi-public services(*see* Arena 18: 470-85)

In later decisions held.

3) Judicial determination of reasonable and just rates, like eminent domain.—*Chicago vs Minnesota*, 143 U. S. 418. In Nebraska case 1898 held rates must allow reasonable returns on 'original cost of construction, the amount expended in improvements, the amount and market value of its stocks and bonds, the probable earning capacity of the property under any rate prescribed by the statute, and the sum required to meet operating expenses.'

4) State commission may be delegated by legislature with its authority. R. R. commission cases 110 U. S. 307 and others. Massachusetts board of gas and electric light commissioners 1884, supervision of companies, examination of books, prescribes uniform bookkeeping, stops over-capitalization, regulates quality, can reduce rates after public hearing, not allowing for 'watered' stocks or bonds, can compel supply to individuals, companies protected against competitors, cities deciding on municipal ownership compelled to purchase existing plant at judicial appraisal. In 13 years board

heard 19 petitions from cities for lower rates, granted 10, refused four, raised one, and four were compromised outside. Massachusetts board of railroad commissioners New York board supervises quality but not rates, vetoes new roads.

c) Public ownership: three principles of public finance in the regulation of monopolies.

1) Profit or revenue. Manchester $150,000 on gas, $100,000 water, $120,000 electricity, rates same as private companies. Glasgow $200,000 water, Berlin $1,000,000 gas, Paris $3,000,000 franchise tax, Toronto $144,000 street railways, Baltimore 9% gross receipts. Philadelphia street railways paved 271 miles street, 1892–96, $9,000,000.

Bernheim, A. C. A chapter of municipal folly (*see* Century 50: (new ser. 28 (149-52)

2) Cost of service; U. S. post-office. Usually compromise between 1) and 2).

Waterworks. Public ownership in 36 cities, average cost $11.50 per capita daily consumption 90 gallons, average cost of works $21.35 per capita. Private ownership 14 cities average charges $17.42 per capita (51% higher) average capitalization $31.20 per capita (46% higher)—*11th census bulletin*, no. 100

Gas. Belfast, gas cost 53 cents, sells 66 cents, profits (less interest and depreciation) 1896, $327,892, price lowered to 60 cents.

Taney, J. B. Cost of illuminating gas in Belfast (*see* U. S.—Consuls. Report. v. 53, p. 516-18)

Wheeling, W. Va. Gas 75 cents, profit 1897, $28,000. Electric plant built from profits.

COMPARATIVE COST OF GAS PRODUCTION

	Bay state gas co. 1891		Ohio state prison 1896		Belfast municipal 1896		Wheeling, W. Va. 1896	
		CENTS		CENTS		CENTS		CENTS
Oil	4.737 gal. 3.37c	14.864		.		. .		
Coal	45 lbs. $4.44	8.092	267 lbs. $1.45	21.92	less residuals ($3.09)	6.34	less residuals ($1.46)	3.7
Coke		.047		. .	coal boilers	.276		.
Lime, etc.		.209		1.86		1.45		.
Labor		5.187	at 70c.	6.709		7 624		24.7
Water		.714		.500		. .		. .
Supplies		.548		.914		. .		. .
Repairs		1.723		.150		3.348		4.6
Salaries		. .		4.950		.546	(in labor)	. .
		31.384		35.329		19.584		33.
Less residuals		. .		17.80		. .		. .
Interest and depreciation 10% on $3		30.		17.529				
Distribution (estimated)		25.	(leakage 10%)	3.000 3 533	on $2.50 at 3% (actual)	7.50 26.036	estimated, no debt (actual)	25. 18.8
Total cost		86 384		24.062		53.120		76.8

Electric light private companies average charge 16 candle power, 1 cent per lamp per hour, 20 cents K. W., $1 per month. Public charges ½ cent, 10 cents, 50 cents. Logansport 5 cents. K. W., profits on commercial $3000; public lighting $13000 free.

Street railways. Glasgow horse car, ownership 1894, reduced fares to 1 cent per half mile, three fourths for less than two miles. Net profits third year $45000. Leeds workmen 1 cent per mile, profit 9½%. Detroit eight tickets 25 cent, no franchise tax, operating expenses 2.22 cents per passenger, dividends 4½% first year.

Telephone. Switzerland $9 per year throughout republic. New York private $240, Syracuse $24 house, $36 business. U. S. interior department, Washington, formerly paid $60 to $125; since 1895, 140 telephones, one woman $600, electrician $300, total $900; $6.43 per phone. Interest and depreciation 8% on $50, total $10.43.—*Frank Parsons.*
Telegraph monopoly (*see* Arena 16:629-55)

Commons. Social reform and the church.

3) Free service, streets, sewers, only three cities with private sewerage companies. Detroit vote for free water, present charge $5 per family, cost of operation $1, balance goes to new construction. Australia, children carried free to and from school.

Permits monopolies to be operated free of charge or below cost, expenses met from taxes. Advantages: facilitates industry, home ownership, scatters population in the suburbs thus relieving tenement pressure; better health, higher wages, shorter hours, greater civic interest and municipal patriot-

ism on the part of the 76% tenant population.

Cure for the richest source of corruption, bribery of aldermen and officials, control of politics by private corporations, 'strikes' by corrupt officials. Joseph Chamberlain and the reformation of Birmingham.

Bishop, J. B. The price of peace (*see* Century 48: (new ser. 26) 667-72)

Parker, G: F. An object lesson in municipal government (*see* Century 53: (new ser. 31) 71-89)

Administrative preparation for ownership

1 State supervision, prescribed bookkeeping, sinking fund, debt limits, expert engineering consultation. British local government board, Mass. board of gas and electric light commissioners (*see* lecture 3)

2 Commissioners instead of council or single heads of departments, elected at large or appointed by the mayor, unsalaried. Water commissioners Syracuse, American counterpart of European councilors (*see* lecture 4)

3 Civil service system. Chief engineer tenure of office, subordinates appointed and removed by him.

4 Direct legislation, proportional representation (*see* lectures 5, 6)

Bemis. Municipal franchises.

Lecture 9

PUBLIC WORKS

Three political questions

1 Shall a given undertaking be made public, i. e. owned and maintained by the city? Decisive considerations: *a*) Protection to life and property. *b*) Health: abbattoirs, garbage disposal; municipal dwellings. *c*) Education; schools. *d*) Morals: saloons. *e*) Recreation; parks, theaters. *f*) Monopoly.

2 Shall the city require competitive wages or 'fair wages' on public works?

European cities, competitive for policemen, firemen, day laborers. Recently in England 'fair wages' movement. London county council minimum for unorganized men $6 per week, women $4.50; trade union scale for others, binding on contractors on public works.

Massachusetts cities $2 for 9 hours, contractors $1.25 to $1.50 for 10 hours. New York $2 for 8 hours, evaded; Philadelphia, Buffalo, same wages for contract and city laborer. City wages 20 to 60% higher for unskilled; same for skilled except where unions are weak; same or less for foremen. 'Fair wages' based on: 1) nationality, 2) previous standard, 3) family, 4) scope for higher wants, 5) leisure, short hours, 6) voters, 7) preference for home labor, 8) minimum wage with higher grades for efficiency (Springfield).

3 Shall public works be constructed and maintained by direct employment or by contractors? Liverpool, Manchester, Glasgow, Birmingham abandoned the contractor. London 'works committee' also builds workmen's dwellings. American cities mainly by contract for larger construction required by state law, repairs and small construction by city.

'Integration of industries' by large corporations. London, Boston, Worcester, Mass., city repair shop.

Day labor and contract systems compared

1 Fair wages and shorter hours evaded by contractors.

2 Regularity of employment, can supplement private employment, seasons and depressions. London 1634 men in November, 2128 in February, 1896-97.

3 Quality. Contract system inferior. Liverpool brick sewer, Philadelphia Queen Lane reservoir, Duluth water works. Requires careful inspection. On public works mechanics become inspectors. Public bodies at disadvantage, must accept lowest bids. Contractors lose if closely inspected.

4 Cost.

a) Inspection, 1 to 2% pavement, 5% sewers. Inspector same ability as foreman.

b) Profits. Montreal contractors $15 per linear yd. 3x2 brick sewer, day labor $6. Buffalo private customers paid $2.40 for asphalt, city $3. Toronto city labor reduced contract prices two thirds. Denver brick sewer saved 25%, unskilled labor being 17% of total cost. Woburn, Mass. pipe sewer cost 4½% more, unskilled labor 65% at 30% higher wages. Brockton sewers 20% more, unskilled labor 40% of total, at 50% higher wages.

c) Extras and litigation. City labor preferred in unforeseen work. Contractors Syracuse reservoir $261000, claimed $98000 extra. Board allowed $8700, compromise $16000.

d) Repairs.

5 Corrupt politics. Contractors usually political 'bosses' or partners of bosses. Where politics are clean no need of contract system, where corrupt the system is a prominent cause. Also alienates the voters from good government.

6 Justice of the laborer's plea for consideration. Pays federal if not local taxes. Property gain in repairs and decrease of extras and litigation and higher capitalization of property. Laborers' only capital is their daily labor.

7 Civil service regulations. Registration of day laborers, examination of skilled; board of public works; city engineer, tenure of office (*see* lecture 4)

Commons, J: R. The day labor and contract system on municipal works (*see* Yale rev. 5: 428-45)

—— Comparison of day labor and contract system on municipal works (*see* Amer. federationist 3: 229-32, 252-54; v. 4, no. 1-11)

Stewart, Ethelbert. Rates of wages paid under public and private contract (*see* U. S.—Labor dep't of. Bulletin, v. 1, p. 721-53)

Lecture 10

TAXATION

The need of larger public expenditure

1 Not owing to corruption and inefficiency, but to: 1) density of population, 2) new functions, sanitation, public works, free education, 3) free services, 4) increased details of administration.

2 Per capita expenditures increase with increase of size of cities.

Cities, population less than 50000, average per capita $9.74.

Cities, population 50000 to 100,000, average per capita $9.67.

Cities, population 100,000 to 200,000, average per capita $11.74.

Cities, population 200,000 upward, average per capita $15.98.

New York $2.90 in 1820, $12.10 in 1860, $24 in 1880 and 1890.—*11th census bulletin*, 82

3 City expenses far exceed state expenses.

Boston 1890, $16,117,043; Mass. $4,955,669.

Chicago 1893, $28,891,931; Ill. $3,993,163.

New York city 1895, $36,522,640; N. Y. 1896, $20,020,022.

Philadelphia 1894, $32,418,476; Pa. $12,873,876.

The general property tax

1 Uniform rate on all property, visible and invisible. Distinguished from enumerated property tax of Pennsylvania.

2 Origin of the tax in agricultural communities. New kinds of property not adapted to it.
   a) Intangible personalty, corporations, stocks and bonds, mortgages and credits.
   b) Increased values of privileges, franchises, land sites.
   c) New varieties and qualities of old articles.

Seligman. Essays in taxation, p. 23-63.

3 Personalty. Lack of universality. Cincinnati, 1866, real estate 50%; personalty 56%. 1892, real estate 76%; personalty 24%. N. Y. state 1825, personal property paid 42%, in 1860, 31%, in 1893, 8%; Syracuse 1886, 5%, in 1897, 17%; New York county 22%, Monroe 5.6%, Erie 6.4%, Jefferson 14%, Washington 20%. 107 estates probated $215,000,000, one third escaped, others assessed three tenths of 1% to 19%.—Comptroller's report. Chicago state banks $19,000,000, assessed $50000.

4 Real estate and franchises.
   a) Lack of uniformity.
      1) Between individuals. Washington large holdings 49%, small 70% of true value (Report of congressional committee May 1892). St Louis, 216 miles street car lines, $37,937,000, assessed 11%, other property 50% (Missouri bureau of labor statistics, 1896). Chicago suburban houses 13.9%, central business 9.28%, gas companies 3%.
      2) Between localities. Real estate varies from 50% to 90% of true value in different counties of New York.
   b) Improved property taxed higher than unimproved. Chicago vacant land 5 to 8%, improvements 15%.

Illinois—Labor statistics, Bureau of. Biennial report, v. 9.

Incidence and shifting of taxes

Value depends on usefulness and scarcity. Taxes tend to suppress the objects taxed, causing scarcity and increased value. This suppression varies with different objects as follows:

1 Capital, disappears through

a) Flight to suburbs and other states. Mortgages, stocks, bonds and personal property taxed at situs of owner. Investments seek low tax areas. Competition between assessors.

b) Check on saving and improvement. Houses, factories, machinery, street cars. Cumulative taxation in America through tax on improvements plus increased assessment of land so improved.

c) High rates of interest and rent the result. Tax shifted to industry. California mortgages taxed as real estate, avoids double taxation, but interest 2% higher than U. S. average, average tax 1.75%. Massachusetts mortgage tax abolished 1881, interest fell 1% in Boston. Stimulated building, 1880, $3,144,260; 1881, $8,918,969; 1889, $17,120,777. Average decline for state .477%, no decline on corporation paper and collateral loans not exempted

Matthews, Nathan, jr. Double taxation of mortgaged real estate (*see* Quar. jour. of econ. 4: 339-45)

2 Labor. Can be heavily taxed only by national authority, otherwise local and state competition would cause non-enforcement, e. g. poll tax.

3 Land and land values.

a) Tax on ground rent not shifted. Does not affect supply, which is fixed by population, transportation, etc.

Commons. Distribution of wealth, p. 116-349.
George. Progress and poverty.

b) Tax on speculative value of land, vacant lots, suppresses speculation, increases supply of land, fosters improvements, lower rents. Detroit 1884-91, small holdings less than $1000 increased 3310 to 13771, 316%, while all property increased 75%.

Michigan—Labor and industrial statistics, Bureau of. Annual report, v. 9.

c) Tax on large holdings, New Zealand, state tax graduated. Less than $25000, 5 cents on $100; above $1,000,000, 80 cents.

Connolly, J. D. Land taxation and labor laws in New Zealand (*see* U. S. Consuls. Reports, v. 53, p. 1-38)

d) Special assessment for local improvements, according to benefits. Based on: 1) Frontage, paving; 2) Area, sewers; 3) Particular benefit, street openings.

Rosewater. Special assessments, p. 359.

e) Exemption of improvements, Baltimore and western cities exemption of factories. Pennsylvania exemption of manufacturing plant. New York exemption from state corporation tax. Brussels, Paris, Vienna. 10 year exemption on buildings.

f) Ultimate exemption of improvements tends to increase rents by attracting industry and population.

The effects of taxation, intended and unintended

1 Fiscal, to provide a revenue. At first subordinate to other sources of revenue, e. g. feudal dues, royal property, public property, franchises.

2 Industrial

a) To foster, prohibit, or regulate certain industries and practices. Tariff, state bank notes, speculations, manufactures, home ownership, etc.

b) To promote morals, suppress liquors, lotteries, etc.

3 Social. To control the distribution of wealth; in early times to concentrate, modern to diffuse. Three theories concerning justice or equality.

a) Business theory. Payment for protection to life and property.

1) A false conception, taxes not voluntary but compulsory payments.

2) Can not measure protection.

3) Tends to suppress capital and labor and to foster monoply, speculation; overlooks industrial effects.

b) Socialistic theory. Payments according to ability; ability measured by production or savings.

1) Prohibitive industrial results.

2) Does not distinguish between personal abilities and social contributions.

c) Social welfare theory. Payments according to unearned incomes, i. e. individually unearned, socially earned.

1) Tax on inheritances and bequests which are not a natural or common law right, but justifiable as promoting industry and thrift. Substitute for evaded personal taxes. 1 to 5% N. Y. 1 to 10% Great Britain, 5 to 20% Switzerland.

West. Inheritance tax.

2) Corporations. Not natural persons but branches of the state with sovereignity. Kinds of taxes:

On articles of incorporation, restrictive.

On tangible improvements, restrictive, e. g. street car license.

On gross income, does not allow for differences in operating expenses. Baltimore street car 9%.

Net income, Europe.

On 'fair cash value', Indiana 1891.

Seligman. Essays on taxation, p. 136-264.

3) Franchise values, additional to corporation tax. A peculiarly public property based on eminent domain and use of public property.

4) Land values, based on ground rent, not buildings and improvements. Public property like franchise values.

Administrative problems

1 Separation of the sources of revenue. Spending district coordinate with assessing district.

a) Federal. Customs, internal revenue, income, inheritance.

b) State. Corporations, railways (including terminals and depots) Pa.; inheritances licenses; personal property. Rate of 30 cents on $100 for state (not local tax) on moneys and credits reaches $600,000,000, in state, $300,000,000 in Philadelphia. Illinois average state rate of $4 reaches $34,000,000 in state, Chicago $10 reaches $7,000,000, New York state total personalty (1895) $562,000,000, New York city, $390,000,000, rate $2.14. Personal property taxed in Switzerland 10 cents to $1, U. S., $1.50 to $10. Low rate not shifted. Abolish boards of equalization.

Eastman. Taxation for state purposes in Pennsylvania.

State board of assessment: Indiana, governor, auditor, secretary of state, two tax commissioners. Raised railway valuation first year $69,000,000 to $160,000,000. Sustained by United States supreme court.

c) Local and municipal.

1) Real estate. Philadelphia $1.85, no personalty. Syracuse $1.39 on all property, equal to $1.67 on realty.

2) Lower rates or temporary exemption on buildings and improvements.

d) County taxes. City and county consolidated, New York, Philadelphia. Elsewhere county sources not separated from city. Possibly licenses for county purposes. State assumption of county expenses.

e) 'Home rule' in taxation, a compromise based on local option.

		Per cent of total Valuation			Tax on $100		Estimated city rate on			
		Land	Bldg.	Pers.	State	City	Realty	Land values	Ratio of assessed to true value %	Actual rate on true value of realty
Indianapolis	1893	42.9	29.	28.1	.32	1.37	1.91	3.21		
Boston	1893	45.2	31.3	23.5	.12	1.18	1.55	2.37		
Detroit	1893	49.2	27.8	23.	.10	1.51	1.99	3.		
San Francisco	1892	57.6	22.	21.4	.43	1.	1.25	1.79		
Richmond	1893	32.6	43.5	23.9						
Washington	1892	47.	45.	8.						
"	1893	68.6	27.2	4.6						
"	1894	53.4	40.9	6.7		1.50	1.60	3.04	60	.96
Syracuse	1896	94.6		5 4	.32	1.59	1.07		80	1.34
"	1897	83.4		16.6	.27	1.39	1.85		80	1.48
Philadelphia	1894	100%		. .		1.85	1.85		65	1.20

2 Publicity of assessments, Illinois 1898, tax list published once in four years. Assessors appointed, promoted, etc., under civil service rules (*see* lecture 4).

3 Increased state revenues.

Source of state revenues	Pennsylvania 1884	Illinois 1894	New York 1896
General property tax		$3 541 925	$9 711 477
Personal property	$2 386 751		
Railways	3 132 860		1 220 912
Banks	589 155		
Other corporations	2 467 506		1 750 092
Inheritances	869 179		1 796 652
Licenses	1 366 137		
Miscellaneous	2 070 296	989 600	6 023 260
Total	$12 873 786	$4 531 525	$20 302 393
State expenses	4 281 272	3 461 525	16 802 393
Returned to localities	7 592 514	1 070 000	3 500 000

4 Distribution of state surplus to local governments, in order to relieve real estate. Three principles:

a) In proportion to taxes paid, i. e. in same proportion in which they are collected. Personal property tax Pennsylvania, state merely agent of local government. Cities get larger share of tax.

b) In proportion to needs.

1) Common schools according to enrolment, average attendance, results: New York, Great Britain.

2) Roads, Massachusetts, New Jersey, New York.

c) State assumption of common local interests: state supervision of schools, state charities, prisons, state highways.

5) Future increase of city expenditure provided for by increased land values, e. g. for parks, free water, free transportation, etc.

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